

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt  
Clerk

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Filed: May 29, 2019

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Office of the Solicitor  
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Mr. Jeffrey Scott Theuer  
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124 W. Allegan Street  
Suite 700  
Lansing, MI 48933

Re: Case No. 18-1763, *SOL v. Timberline South LLC, et al*  
Originating Case No. : 1:16-cv-11552

Dear Counsel,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/C. Anthony Milton  
Case Manager  
Direct Dial No. 513-564-7026

cc: Mr. David J. Weaver

Enclosure

Case No. 18-1763

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

**ORDER**

SECRETARY OF LABOR

Plaintiff - Appellee

v.

TIMBERLINE SOUTH LLC, a Michigan limited liability company; JIM PAYNE, an individual

Defendants - Appellants

BEFORE: SUTTON, Circuit Judge; WHITE, Circuit Judge; DONALD, Circuit Judge;

Upon consideration of the petition for rehearing filed by the appellants,

It is **ORDERED** that the petition for rehearing be, and it hereby is, granted for the limited purpose of replacing and amending the Court's opinion filed April 05, 2019.

**ENTERED BY ORDER OF THE COURT**

Deborah S. Hunt, Clerk



Issued: May 29, 2019